

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

_____	:	
In re	:	(CHAPTER 7)
	:	
PETLAND DISCOUNTS, INC,	:	CASE NO. 19-72292-reg
d/b/a ALL PET DISTRIBUTORS,	:	
	:	
	:	
Debtor.	:	
_____	:	

STIPULATED ORDER RE: ALLOWED ADMINISTRATIVE CLAIM

This Stipulation is made and entered into this 5th day of June, 2019 by and between creditor Equity One (Northeast Portfolio) LLC (“Equity One”) and Allan B. Mendelsohn, Chapter 7 Trustee (the “Trustee”) for the debtor Petland Discounts, Inc. (the “Debtor”).

WHEREAS, Equity One, as successor to Southbury 84 Associates Limited Partnership, as landlord, and the Debtor, as tenant, were parties to a Written Lease Agreement dated December 23, 1996, as amended thereafter (collectively, the “Lease”) for the use and occupancy of certain commercial real property (Land, together with all Buildings and Improvements thereon) at Southbury Green Shopping Center, 775 Main Street, Southbury, Connecticut 06488 (the “Premises”);

WHEREAS, on March 28, 2019 (the “Petition Date”), the Debtor filed its voluntary petition for relief under Chapter 7 of Title 11 of the United States Bankruptcy Code;

WHEREAS, subsequently, on May 2, 2019, the Court entered an Amended Order Authorizing and Directing the Rejection of Certain Non-Residential Real Property Leases (Dkt. No. 122) (the “Rejection Order”);

WHEREAS, pursuant to the Rejection Order, the Equity One Lease was rejected as of May 2, 2019 and the Premises restored back to Equity One as of that date;

WHEREAS, pursuant to the terms of the Lease, the monthly rental payment was \$4,500.00 per month and had not been paid postpetition (and the Debtor was still in possession of the Premises);

WHEREAS, pursuant to the terms of the Rejection Order landlords affected by the Rejection Order are permitted to file a claim against the estate for Administrative Claim for unpaid rent from the Petition Date through the Rejection Date (See Rejection Order, p. 2.);

WHEREAS, Equity One and the Trustee agree that it is in their best interest to resolve the Administrative Claim without further corresponding expense by entering into this Agreement;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Equity One and the Trustee, and their respective counsel, as follows:

1. Equity One shall have an Allowed Administrative Claim in the amount of Four Thousand, Five Hundred Dollars (\$4,500.00).
2. The Allowed Administrative Claim will be paid pursuant to the approved Trustee’s Final Report (the “TFR”) at the conclusion of this Chapter 7 bankruptcy case.

ALLAN B. MENDELSON,
CHAPTER 7 TRUSTEE

By: /s/ Fred S.
Kantrow

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CREDITOR, EQUITY ONE
(NORTHEAST PORTFOLIO) LLC

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**Dated: Central Islip, New York
June 17, 2019**



**Robert E. Grossman
United States Bankruptcy Judge**